

REMARKS

Applicant submits that the current office action contains clear errors in the Examiner's rejections as well as omissions of one or more essential elements needed for a *prima facie* rejection.

The Examiner has rejected claims 1-4, and 17-20 under 35 USC 102(e) as being anticipated by U.S. Pat. Appl. Publ. US2004/0030756, hereinafter "Matsuyama".

Matsuyama contains multiple embodiments directed to multiple problems with corresponding solutions. The Examiner has cited portions of Matsuyama from various embodiments to read on the claim steps/elements of the present application. Specifically in regard to independent claims 1 and 17, the Examiner has cited paragraphs (44, 45, and 54) as teaching "looking up locations within a pre-determined distance from the current position of the mobile phone". This is not the case.

The cited paragraphs of Matsuyama disclose calculating the number of terminals (which may or may not include mobile phones) within a predetermined distance from a specific terminal. This calculation is then used to support the possible establishment of communication of these terminals with the specific terminal. None of which has anything to do with "looking up locations within a pre-determined distance from the current position of the mobile phone". Locations as used and described in the present application clearly refer to static physical points of interest such as residences, offices, restaurants, churches, hospitals, schools, and the like. The present application does not concern itself with the locations of other mobile phones relative to itself for purposes of establishing communications with such other mobile phones. Thus, Matsuyama does not actually teach "looking up locations within a pre-determined distance from the current position of the mobile phone".

The Examiner then cites paragraphs (140, 160, and 243) as teaching "displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone". These particular paragraphs are from a separate embodiment than paragraphs (44, 45, and 54) used above. Paragraphs

(140, 160, and 243) of Matsuyama refer to displaying a map area of coordinates that were requested by the user. The map area is capable of having theme/icon data associated therewith. This is not the same as what has been claimed in the present application “displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone” because any icons displayed by Matsuyama are not linked to the current location of the mobile phone as required by the step/element in the clause of present application.

Matsuyama only displays maps/icons/data for coordinates that have been manually entered by the user. The present application is only concerned with locations (and location icons) that are proximate to the current location of the mobile phone which is automatically determined by the apparatus and not manually entered by the user. Thus, Matsuyama does not teach “displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone”.

With respect to dependent claims 2,3,4 and 18,19,20 Matsuyama again cites paragraphs (140, 160, and 243) as teaching “waiting a predetermined period before re-determining the current position of the mobile phone”. There is absolutely nothing contained in any of the cited paragraphs that teaches or suggests re-determining the position information of the mobile phone after a specified period of time has elapsed, prompting the user to input such a predetermined time period, or allowing the user to vary the predetermined distance (with respect to locations, not other mobile phones). Only paragraph 243 mentions position information at all and it does so in relation to calculating the number of other terminals (mobile phones) present within a predetermined distance of the specific terminal. No mention whatsoever is made for an automatic re-determination of the current position of the mobile phone.

Reconsideration and withdrawal of the 35 USC 102(e) rejection of claims 1 and 17 as well as their dependent claims based on Matsuyama is requested.

The Examiner has also rejected claims 1-5, and 17-20 under 35 USC 102(e) as being anticipated by U.S. Pat. Appl. Publ. US2002/0115450, hereinafter “Muramatsu”.

Specifically in regard to independent claims 1 and 17, the Examiner has cited paragraphs (12, 25, and 32) of Muramatsu as teaching “determining the cur-

rent position of the mobile phone" and "looking up locations within a pre-determined distance from the current position of the mobile phone". This is not the case.

The cited paragraphs of Muramatsu discloses obtaining the current positional data of other mobile phones (not the present user's mobile phone) and translates the set of coordinates to locations on a map wherein a specific user defined icon is associated with each of the other mobile phones. Thus, the original user is able to display the location of other users via self-associated icons on a map. None of which has anything to do with "looking up locations within a pre-determined distance from the current position of the mobile phone". Locations as used and described in the present application clearly refer to static physical points of interest such as residences, offices, restaurants, churches, hospitals, schools, and the like. The present application does not concern itself with the locations of other mobile phones relative to itself for purposes of knowing and mapping the locations of other mobile phone users using iconic data representing the other mobile phone user. Thus, Muramatsu does not actually teach "looking up locations within a pre-determined distance from the current position of the mobile phone".

Moreover, Muramatsu does not determine the current position of the user's mobile phone, only the current positions of other mobile phones. The present application is quite clear that "determining the current position of the mobile phone" refers to the mobile phone of the user not other mobile phones.

The Examiner then cites paragraphs (34, 35, and 36) as teaching "displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone". Paragraphs (34, 35, and 36) of Muramatsu refer to displaying iconic data associated with other mobile phones on a map to indicate their present location. This is not the same as what has been claimed in the present application "displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone" because any icons displayed by Muramatsu are not linked to the current location of the mobile phone as required by the step/element in the clause of present application. Moreover, the icons are not constrained by a predetermined distance and the icons do not represent locations.

Thus, Muramatsu does not teach “displaying a location icon representing a location within the predetermined distance to the current position of the mobile phone”.

Reconsideration and withdrawal of the 35 USC 102(e) rejection of claims 1 and 17 as well as their dependent claims based on Muramatsu is requested.

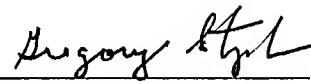
The Applicants believe they have responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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